

**Amendment to Bill No. 2- 2005**

**BY: Chairperson at the request  
of the County Executive**

**Legislative Day No. 4  
Date: March 7, 2005**

**Amendment No. 47**

*(This amendment makes a technical correction by organizing the exceptions to when an application for a subdivision or site development plan is considered pending.)*

- 1 Remove pages 2 and 3 in the Proposed Comprehensive Zoning Amendments attached to
- 2 the Bill as introduced and substitute the replacement pages 2 and 3 attached to this Amendment.

**E. Construction and Effective Date**

1. These regulations upon enactment shall be the sole Zoning Regulations of Howard County. The provisions of these regulations are minimum requirements and shall be in addition to any other requirements of law. Where higher standards are required by other regulations, the higher standards shall apply unless the particular provision of these regulations expressly provides otherwise.
2. However, the requirements of the Zoning Regulations adopted September 18, 1992 for the western area of the County covered by the 1992 Comprehensive Zoning and October 18, 1993 for the eastern area covered by the 1993 Comprehensive Zoning with respect to the bulk regulations shall apply to any lot described in a deed or on an approved subdivision plat and recorded in the land records of Howard County no later than five days after the enactment of these regulations, and unable to fulfill minimum requirements of these regulations.
3. Any amendment or change to the Zoning Regulations, whether previously or hereafter adopted, shall be applicable to all pending and future proceedings and actions of any Board, Hearing Examiner or agency empowered to decide applications under these regulations, whether decided on original application or remand from Court, unless the amendment or change expressly provides that it only applies to future proceedings and actions.

[[1.]] A. Cases that require a Decision and Order are considered pending unless the Decision and Order is signed by the Board, the Hearing Examiner for a case that is not appealed, or the Department of Planning and Zoning prior to the date the legislation is adopted, except that:

[[a.]] (1) Any conditional use application filed on or before March 5, 2001 shall be subject to the regulations in effect prior to the effective date of Council Bill No. 11-2001; and

[[b.]] (2) Any age-restricted adult housing conditional use application filed on or before July 7, 2003, shall be subject to the regulations in effect prior to the effective date of Council Bill No. 49-2003.

[[c.]] (3) Any conditional use that would be prohibited by a map amendment is considered pending unless the site development plan is technically complete prior to the date the [[legislation]] ZONING MAP AMENDMENT is adopted.

[[2.]] B. Applications for subdivision or site development plan approval are considered pending unless the initial residential plan submittal, as defined in the Subdivision and Land Development Regulations, or the site development plans for all other types of development is technically complete prior to the date the legislation is adopted, EXCEPT THAT: [[.]]

(1) [[However, development]] DEVELOPMENT projects of over 300 units which have processed site development plans on at least 50% of the overall site shall not be considered pending.

(2) Sketch plans, which have received a technically complete letter from the Department of Planning and Zoning prior to November 1, 2001, shall be subject to the regulations in effect prior to the effective date of Council Bill 50-2001.

[[2)] (3) ANY PARCEL IN THE CAC DISTRICT WHICH HAD A  
SUBDIVISION PLAT RECORDED BEFORE NOVEMBER 30, 2004 MAY  
EITHER BE DEVELOPED UNDER THE CAC DISTRICT OR, AS A  
MATTER OF RIGHT, UNDER THE ZONING DISTRICT THAT APPLIED  
TO THAT PARCEL ON NOVEMBER 30, 2004.

[[3.]] C. Applications for permits issued in accordance with Section 128 of these regulations  
are considered pending unless written approval is issued by the Department of  
Planning and Zoning prior to the date the legislation is adopted.